

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL J. QUILLING,

Plaintiff,

File No. 1:03-CV-236

v.

HON. ROBERT HOLMES BELL

TRADE PARTNERS, INC., et al.,

Defendants.

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**ORDER APPROVING REPORT AND RECOMMENDATION**

Magistrate Judge Ellen S. Carmody filed a Report and Recommendation on August 31, 2006, (Docket # 1393), recommending that the Receiver's Motion to Forfeit All Interest of Thomas J. Smith and Christine M. Zmudka in the Trade Partners, Inc. 401(k) Plan (Docket # 1320), be granted. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). The Court agrees with the recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of August 31, 2006, (Docket # 1393) is **APPROVED AND ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED** that the Receiver's Motion to Forfeit All Interest of Thomas J. Smith and Christine M. Zmudka in the Trade Partners, Inc. 401(k) Plan (Docket # 1320), is **GRANTED**.

**IT IS FURTHER ORDERED** that the Court shall enter an order directing Smith Barney to disburse the account balances in account number 207-41406-13 031 and account number 207-41407-12 031 if the Receiver informs the Court that such an order is necessary.

Date: September 28, 2006

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
CHIEF UNITED STATES DISTRICT JUDGE